



PATH OF A COUNCIL LAND USE DECISION

 **T**HE CITY OFTEN FACES land use decisions, requiring choices among different interests. The Mayor and City Council consider the interests of the developer, as well as the neighborhood and long-term community benefits, while abiding by the legal framework that enables their procedure. The following step-by-step look at a recent case shows how the process works.

STEP 1 PROPOSAL SUBMISSION

Richdale proposes a 418-unit apartment with two 75-foot-high, four-story buildings and five-level parking structures. The proposal requires extending Stanley Avenue to connect 82nd Street with American Boulevard and increasing the capacity of the sanitary sewer. Because the proposal is not consistent with the City's *Comprehensive Plan* and the site's zoning, the application also includes *Comprehensive Plan* and zoning amendments.



STEP 2 PUBLIC HEARING NOTICES

The City schedules a Planning Commission hearing. State law requires advertising the hearing. Notices are mailed to surrounding property owners and printed in the *Sun Current*. Details are posted on the City's website.

PRINCIPLES BEHIND THE PROCESS

PROPERTY OWNERS CAN APPLY FOR CHANGES

Why does the City hold hearings on significant land use proposals? All property owners have a right to reasonable use of their land. The City is obligated to accept and process (but not necessarily approve) any complete application. State law requires that decisions be based on a complete record established by the applicant, City staff, advisory commissions and public input. The City cannot preemptively reject an application without completing all the steps leading up to a Council decision.

LAND USE PLAN AND ORDINANCES

The City's *Land Use Guide Plan* describes how land can be used in Bloomington. State law requires the plan be consistent with the Metropolitan Council's regional plans, including transportation, sewers, housing and public facilities. To view the current land use map, go to www.ci.bloomington.mn.us, keywords: Comprehensive Plan.

Land Use Proposal
For This Property
For More Information
www.citydev.info
(952) 563-8920

INFORMING RESIDENTS

The City has instituted a procedure that requires a sign to be installed on a site where a comprehensive plan change, rezoning or conditional use permit application is being processed.

For information on the City's *Comprehensive Land Use Plan*, zoning ordinance and development standards, call 952-563-8920.

THE PROPOSAL

The Richdale Group proposes developing a 9.6-acre parcel with a vacant industrial building on 82nd Street east of Normandale Boulevard. The site is located between hotels and a single-family residential neighborhood.

STEP 5 PLANNING COMMISSION HEARING

Staff gives a synopsis of its report and the applicant presents their proposal. Residents are invited to share their views; many state their concerns about traffic, sewer capacity and neighborhood compatibility of the four-story buildings. The Commission weighs the evidence, reviews the required findings in the ordinance and votes to forward recommendations of approval with seven conditions to the City Council.



STEP 6 CITY COUNCIL PUBLIC HEARING

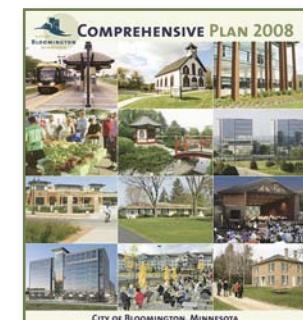
The City Council's first task is to make a complete public record describing the application and its impacts. The following items are included:

- Environmental Assessment worksheet.
- Staff report and recommendations of Planning and Traffic and Transportation Commission hearings.
- Correspondence between staff, the applicant and the public.
- Testimony from the applicant and public.
- Zoning ordinance's required findings and the City Attorney's recommendations.



STEP 7 COMPREHENSIVE PLAN CHANGE AND SITE PLAN REVISIONS

Next, the Council acts on the application. In this case, the Council approves a *Comprehensive Plan* change, rezoning and site plan with a memorandum of understanding and several conditions of approval. Important provisions are: City will not extend Stanley Avenue until it has the right-of-way from other parcels. The funds available to pay for street improvement and sanitary sewer capacity must be available. The *Comprehensive Plan* change is submitted to the Metropolitan Council. The developer and City will continue work to resolve the sewer capacity and street extension issue.



STEP 8 REVISED PLAN

When the Richdale Group determines it cannot meet all conditions of approval, it amends its proposal to reduce the number of apartment units. The new proposal is consistent with available sanitary sewer capacity, does not rely on the immediate extension of Stanley Avenue for access and reduces height of buildings and moves them farther from single-family homes. The City Council adopts the revised plan with new conditions.



STEP 9 BUILDING PERMITS

Richdale Group will submit construction plans for building permits in 2009.